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Support

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-205540

DATE: December 15, 1981

MATTER OF: Tom Selves Office Supply

DIGEST:

GAO will not review Small Business Administration refusal to issue a certificate of competency in the absence of a showing of fraud or bad faith.

Tom Selves Office Supply (Selves) protests the Small Business Administration's (SBA) refusal to issue it a certificate of competency (COC) on General Services Administration solicitation No. GSD-7DPR-20003. Selves contends that the SBA's decision was improper because it was not based upon accurate data.

The SBA has conclusive authority to determine a small business bidder's responsibility by issuing or declining to issue a COC, and that determination is conclusive on the General Accounting Office (GAO). See Burgess, Inc., B-203603, June 30, 1981, 81-1 CPD 547. Where no question of fraud or bad faith is involved, GAO cannot require or recommend either that the SBA issue a COC or that the SBA reopen a case where a COC has been denied. See Dan's Janitorial Service & Supply, B-200360, January 22, 1981, 81-1 CPD 36. Here, there is no showing of fraud or bad faith.

Therefore, the protest is dismissed.

Harry R. Van Cleve
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Acting General Counsel